THE HON'BLE SRI JUSTICE C.V. RAMULU

Tuesday, 24th day of April,2007

W.P.No.8729 of 2007

Between:-

K.V. Pal … Petitioner

and

Andhra Pradesh State Road
Transport Corporation, rep.
by its Managing Director,
Musheerabad, Hyderabad-20
and another …
Respondents … Respond

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ORAL ORDER:

This Writ Petition is filed questioning the show cause notice issued by the 2nd respondent on 12-4-2007, whereunder the punishment of removal from service was proposed and the petitioner was asked to explain as to why such a penalty should not be imposed on him.

According to the petitioner, no final orders are passed till date. The grievance of the petitioner is that though the respondents are at liberty to proceed with the matter Departmentally, but for a trivial misconduct alleged against him, the proposed punishment of removal from service is disproportionate.

The allegation is that the petitioner being a Conductor of the bus bearing No.AP11Z 2022 of Mydukur Depot, did not inform the police or the Department as to the involvement of the bus in an accident on 25-11-2006 at 18.50 hours near Dasari Kottalu on Mydukur-Kadapa road, which resulted in death of one person. May be, the duties allotted to the Conductor are altogether different from that of a driver and in any case, the driver is more responsible and he is supposed to inform the police and the authorities in case there is an accident. Further, whenever a vehicle meets with an accident, in the absence of the driver, it is the duty of the Conductor to report the matter promptly to the concerned authorities. In this case, it seems, the driver

is bound to inform the accident, and equally the Conductor is also duty bound, but he did not do so. May be, in what the learned counsel for the petitioner says there is something that the matter being very trivial, the punishment of removal from service is not desirable. But, it is not for this Court to go into that aspect, in a writ petition of this nature, where the show cause notice is under challenge.

Under those circumstances, the Writ Petition is disposed of directing the petitioner to file his explanation to the impugned show cause notice, within a period of one week from today and on filing such explanation, the 2nd respondent shall pass appropriate orders, as per law. No order as to costs.

24-4-2007

Office to despatch
copies within 3 days
(B.O.)

prk